

Applicant's election of claims 1-19, 25-40, 41-45 in the reply filed on January 17, 2008 is acknowledged. However, the reply is considered to be incomplete because the reply does not include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species or elected invention. The elected claims 1-19, 25-40, and 41-45 encompass more than one species. For example, claim 1 encompasses in species illustrated in figure 1, but claim 41 encompasses in the species illustrated in figure 7.

Again, Applicant is advised that the reply to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected species or elected invention. In this case, the reply must include (i) an election of a figure and (ii) identification of the claims encompassing the elected figure.

Applicant's election with traverse of claims 1-19, 25-40, and 41-45 in the reply filed on 1/17/2008 is acknowledged. The traversal is on the ground(s) that the restriction requirement is defective because the Examiner does not provide a grouping of claims or species, the Examiner did not properly establish the burden as required, the restriction requirement was not timely provided because a Final Office Action on this application was issued on July 11, 2006 (pages 1-2). This is not found persuasive.

As indicated in the restriction requirement, the Examiner provided the species are illustrated in figures 1-7. In addition, the Examiner established the burden because the claims have acquired a separate status in the art in view of the different

classification, their recognized divergent subject matter, or the claims require a different field of search.

With respect to Applicant's argument that was not timely provided, the Examiner respectfully traverses.

The Examiner agrees that the Final Office Action on this application was issued on July 11, 2006. However, an RCE for this application was filed on 10/6/2006 and, in addition, the claims have been amended. The restriction requirement was issued in response to amendment filed after non-final office action mailed 3/9/2007.

For the reasons given above, the requirement is still deemed proper and is therefore made FINAL.

/Son P Huynh/

Primary Examiner, Art Unit 2623